

2001-07-23

# "Mission" to Cambodia July 23-28 2001, Community Legal Education Center

---

<https://hdl.handle.net/2144/34863>

*Boston University*



財合



財合

200 錢





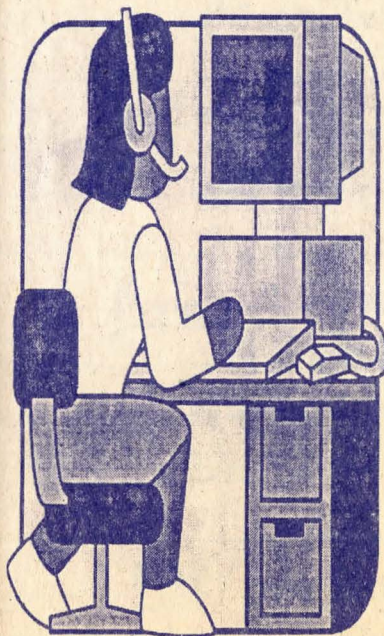


សាលា : .....

ថ្នាក់ : .....

សេរ៉ូរ៉ូរ៉ូ : .....

ឈ្មោះ : .....





"mission" to  
CAMBODIA - July 23-29, 2001  
Community Legal Education Center  
(CLEC)

CLEC center:

15 week courses/topic for working adults  
no degrees - but 1-off course;  
Daytime: training workshops / specific issues -  
(# days - 2 weeks)  
Little training in Phnom Penh → hope to extend  
to local councils = esp. leg drftg.

Law School Curriculum (all staff of CLEC took this)

1<sup>st</sup> yr - Introd of Law, Const<sup>n</sup> Law, Criminal Law  
Study Eng or Fr, but contract law = Khmer  
2<sup>nd</sup> yr. Civil Law, Admin Law, crim. law procedure  
3<sup>rd</sup> yr. - contract law.

Bosini: 2 phases to project: what NGOs  
are interested - <sup>preparation phase:</sup> tomorrow explain how  
wkshp wrks. ask them to disc. soc. prob.  
at interview = potential participants -

Matt: At this stg, long NGO people = involved  
in drftg laws - actually assessing laws -  
1<sup>st</sup> concern = empowering them to contribute  
effectively = what questions to ask: people  
who come tomorrow → more productive session



Later → how to institutional learning  
process = MPs, ministry officials,  
and ultimately 1600 council persons -

Matt: ① Most NOD people = not legally bound =  
assigned to come to workshop -  
② Ask them what they do when they  
receive a bill to critique - maybe in PM.

Context of class (ie course)?  
Purpose of course?

Class on Commune Elections: { Mon. evening  
class / drftg

Art. 28 / law: role of commune clerk -

"may" vs "shall" remove clerk -

Q: diff bet 2 words: A: "May" = discretion; "shall" = must

T: no criteria for when Council may remove clerk -  
ie specify grounds for when remove clerk -

Q: re last session;

1) when amend act? Goes back to Nat. Ass.

Next week: Take decent + decorous as workshop →  
discussion; also go thru leg → identify areas of  
discretion/officials; understand gaps in legislation  
re certainty + implementation

Last week: Who read Act? No one raised hands. Next  
week all must read → discuss Act. Q: tell us what  
ps. to read in text. Next Wed read pp. 79 - When read  
Act, interpret "norms" and "strds" (Art. 45, 49; text  
+ 82 re 'fin'l norms' [Matt: drfts use strdt, law can't  
conflict w existing laws or norm + strdt])

Re <sup>commune</sup> ~~development~~ development plan:

Art 60: purpose of plan

Art 62: Do it in 1<sup>st</sup> 12 mos. → list of items to consid.

→ reflect commune's needs { Matt: co uncillors  
won't know how to do this = 1600 council  
Art 64 = Partic: What can city partic in? { Matt: council



decide what = parties!

Can Council figure this out?

No direct mention of content, see Art 65: If plan doesn't meet criteria of plan/law, Min of Interior may veto it = w/d discretion. Council must end to comply w/in 45 days

Art 68: Min of Int instructs Council how to implement plan -

ie "I'm not cynical abt leg - Council must review plan 1/yr

Art 69 says how - ann. rept must specify obj's/delivery of services, measures taken to achieve them = review

Art 71: says who gets rept; Art 71: Min of Int + others "impt" orgs give opinions - If differ, what then?

Tuesday July 24

① Vigilance - human relations -

② Kamthud - ~~Women's~~ Crisis Centre = lawyer

③ Julie " " " - Summinton -

✓ Much - human rights law

④ Donnie Crisis Centre -

⑤ Kup - legal Aid -

⑥ Sophie " "

⑦ Oxfam -

⑧

⑨ USF - CLC

⑩ Oxfam - GB -

⑪ Cambodian Human Rts. m

⑫ Lem -

⑬ NAO Committee on CIDA Law

⑭ USF - CLC

⑮ " "

Question: Why not involve people from CLC to participate -

Ans: NGOs engage in drafting + assessing laws = important for NGOs; what questions to ask? If we don't know what we shd do, cannot play our role





Since we work directly w. people, can help legislators know what people think = important, contribute our knowledge of reality to ~~the~~ parliament, court - How do that w/o knowing how to make draft law?

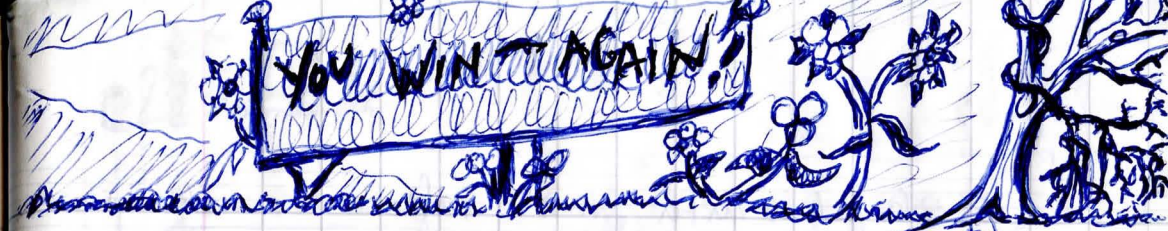


We should also explain the 4 ways we have developed elsewhere → use a learning process: (see website)

- ① Workshops - st. w problem areas
- ② Distance course: 28 hrs/tapes, Manual/Bukassa
- ③ 4 month BU program - Tot

Aim: → Organic run by people/country what = center of Cambodian learning process  
→ links to similar centers in Sri Lanka, Tanzania, etc.

Q: Can you 'impose' changed behaviours?



Bosin: 'Observer' (not lawyer)


How law → m/c Cambodia history:

same age - 10 fams → live together = own rule - eg promise how behave/women - if rule (eg women cook, men hunt) but community chg → chg rules; → ~~grow~~ larger community/govt = chg law/customs/Cntry, need to chg law now to solve probs

now = chg rules - eg munc → women = time for men + own shs respo - 2-3 yrs ago → law to chg behav./soc; Cambodia rules/women 2-3 hundred yrs ago = women called men 3x → married; but w/dn't mk sense now - chg rule 100 yrs go/Pr → law, <sup>rubber</sup>plaster law →





but law mkr must reflect Cambodian  
circs → chg laws // Cambodian needs  
Now, at pres, to help chg → 1992 is new =  
chg coop in nat-human rts/Camb. people needs  
= dem chg → law mkr must write laws to  
serve people - mk sure people live together  
peacefully - Fr = no NGOs → law drfters, now  
in some way → involve people in writing laws/  
own mts → so small circle =   
→ bring bke together law-mkr,  
law drft, Camb-people →  
shr ideas → law → written / people's needs  
Law mkr → write laws / pop. Re Q: NGO  
bill submitted → crit'd by NGO → advantage  
of reps / N.A.; or can lobby; local  
communities, people know what's probs, what's  
needed → Configure law - may have to repeat  
over & over → based on facts/docs → soft, →  
mk them listen to us.



## Qs/Institutionalization of "learning process"

① How help develop process?

Matt: Series of 2 wk workshops/drfg - led by Cambodians

② Need to know how will work in Cambodia - crim law  
from Fr. Crim Law; Com'l Code = Jap. - no "Camb" law;  
some laws, after yr of stg, govt doesn't allow us to drft  
laws; dissonant of law foreigners; what do  
we do? How get knowledge to disinv, law?  
- , like help: how drft laws, ~~trans~~ what do we  
need to know to drft laws -

Matt: What you say = reasons why propose this  
prog = teach ourselves out of a job - so no longer  
need foreigners → self-reliant. [will upset hotels which  
mk money from foreign experts] In Indon used 4 profs  
- here <sup>Cambodia</sup> what people can do it? → self-reliant?

③ [Bosin translate]: What acc. probs shd we focus on?

Her ans: you must identify soc. probs -

④ In Camb, prob differs from Indo - prob = consistency  
= use of diff terms - some tms used by lawyer or  
civ. soc means, but before law → passed →  
chgd by lawyers = "inconst" - eg "criminal"  
in nat'l workshop/interp: agd = related to crime,  
Mo Justice objected = too broad -





Bosin: solve probs by definitions/bills

Bob: older lawyers / M & J "I know" or "this is legal" -

Wednesday: July 25

CLEC:

Bosin: Assume VEF = organizer of proj. -

mat: whether draw in other, deps. or disc. Thurs

→ draw together list of people to do it with

Train 3 of staff/CLEC in theory, methods, techs.

Bosin: Resource: have personnel + Neo corp → get more info from them when interview -

PM - <sup>FOR</sup> UN Centre, HUMAN RIGHTS. ~~4:30~~ / - 3 hrs / wk - 15 wks  
PAT BAARS (Presenter)

Canad. Consti: admin action in dispute come to for courts (but not all judges know them)

Europe: Supreme Council of Magistry = If cannot appts, dismiss to judge  
King = chr. - ie aim to keep bal. of power so no one too dom.

" Constl Council (Art 136) = safeguard + interpret Const + laws adopted by NA - decides election disputes -

Roll call:

Min of Env't

Min of Publ. Affs

Min of Fin

Why trip on weapons

Nat'l Ass - M & J (some on mission)  
Odrte at M & J

mps XIII

Senatr II

Min of Defence

Nat'l Election Comm + Min of Educ II

Legal Dept of Sen.

U. of SF

Bar Assn

Min of Ind Mgmt

MacComm

Human Rts Com

Oxfam

Council of Mms.

UN Centre



Why on Const'l basis/Cambodia, sep. of powers -

Study Qs, p. 20 text - Each side of run take Q (1, 2)

#1 Arts 18-30 = powers of king; find art 2 that gives king leg, exec & judicial power

#2 Arts 136-144 = find 2 powers of Const'l Council = similar to judicial power.

(work in teams if wish)

11 octant = relevant → disc.

opinion: NA cannot legislate re king's powers under existing Const (she used w. US lang → deferring Cong power in "box" provided by Const) so did other bas. Maybe, given Camb. trad, "house" for king to appt their officials.

draft 2 amendments to Const.

① King must appt officials of Senate ~~King must appt officials of Senate~~

② King ~~must~~ appt rules of ~~Sen~~ = amend Const.

③ King may appt officials of NA

④ " must sign rules of NA

"Art — = amend to read as follows —"

delete which art. to amend).

8-9 Comp  
Thurs:

Issues mentioned ① Prostitution/rehab ② Freedom of the

Ad hoc: Human Rts - Yi Kosal Vathana

Whish partic = patient, cont. to wk = trans for knowledge/change - eg my boss wants to change soc, but doesn't have

"Your model = workable"

Hay Yooleng - <sup>of Cambodia</sup> Vigilance Law, Dem, Human Rts, Wk on law re human rts; focus on ed of people/Const, crim. law; any abuse of human rts, polit. abuse; ~~how~~ specifically: in coop w. Ad Hoc re Dom Violence & Local Election Laws; local areas → cases for ct → / mandate Dom Law draft - init = parties from prop. v. Dom Vig ~~Commission~~ Crisis Centre; draft we saw = by drafty Commis + Strategic Dissemination Commis; ~~she's on Strategic Dissem. Comm~~ <sup>ask</sup> PADV

PADV = Pro. v. Dom Violence - Em Chantho?

2 apps/drafts: ① UN ops + PADV = draft 1

② Hired for expt = attended 2 mtgs; then draft bill Now don't have law, so don't know if wld wk here - if NA adopt law, have mobile team w. hot line → assist from police - but not every hs has phone

Agrees need to empower Camb. drafts - for expts shouldn't draft, need Camb. wkrs/Comb. soc wk. to write law -



Matt: Prof/Faculty of Law → est. "clinic", or just use  
draft laws, w/ law sts.

Asian Fnd - Kay Neam = prog officer / <sup>advocates</sup> <sup>shdn't st only</sup>  
w. sts

Matt: 4 mo prog/BU = expensive - good  
practices. to cont. direct prog. → identify  
people who wld cont., how identify?  
NGO cd nominate competent people - eg  
Oxfam, Asian Fndn, etc.

Asian Fnd: Prob w. appr: if gd people go  
to BU, can't be sure = capable in terms  
of status - eq to teach MPs = + co

① Prob of Eng: ② Gd person cdn't  
lv. office / 4 mos (lose posn)

Song Kamsin - Oxfam GB - Operational Prog

→ supt/local NGOs to run their

orgs = 2 op. progs: Land Study <sup>local level</sup> Sys

Visa & prog = just est'd → res. invite local  
NGOs, human rts partic/round table/workshop

Transfer from Cent <sup>EC</sup> ~~to~~ to mkt ec →

ch'd rels / but people simple stgl/survival

don't know gov't pol. - est wkg grp

After wkshp, try to advocate ch'd gov't  
pol - met Council of Junsts, were told

if not = lawyers, wldn't listen → try to expl/Camb  
crisis - Now Gov't stg to listen → draft

Neam/Asian Fndn - Re 3 apprs: Dist Ling → stg  
pt → form grp/study → lrv who = committed to  
prog → who can → ldrs - after ends, →  
reinforced by 3 wk wkshp, identify people  
to send to BU = 3 people/Fndn cd  
partic in Dist Ling.

Might draft manual for municipal drafts -

Matt: Poss. = 2 wk wkshp/Jan.

Neam: Law on NBOs & participation in law-mkg

\* Maybe Asian Fndn cd help w. translating  
<sup>LAC</sup>

Duke Vandeth - Legal Aid of Cambodia = chief of

legal aid - = 9 brs / provinces - 5 sects ~~est'd~~

1995 = lawyers = 1 cum = legal serv/poor; 1/yr, get 2000

cases = crim, labor/ee, land onco, fam-dom violence, <sup>not</sup> <sup>big</sup> <sup>big</sup> bus

Services provided by LAC = consulting w. poor

Sometimes → dispute resolution w. local govt auths;

New prog = ed/law to local community; ~~sp~~ wk on

dissemination / ed of gov't civ. serv, incl. police,

re kids' rts = Ed/commune & dist level; ~~also~~ also

help people lrv/elect. law; land law → adopted.

LAC will ed re it, now = intare/A+B → instruct "husband"

re draft law (?) in future (next yr) → elect commune committee  
→ asst draft local leg. hope yd'll help → tools/that



LAC will commit to asst/proj. LAC = 60 members  
20 = lawyers, + 10 legal asst/consultants  
= from law faculties -

Soc. probs = LAC try to get auths to comply  
w. existing law + lobby to pass new  
laws incl. people's rts. (In 2000, wked  
on civil serv. statute (Art. 51) → recoms.

② Also suggested / land law, & ③ how  
join drug law / weapons & explosives;  
④ Reviewing crim. ~~act~~ procedure draft  
law -

Vausin-Oxfam - Chg'd from study Proj.  
to livelihood & Resource Use -

Few drafts: land law, forestry law, fishery  
law - need regulations/implementation  
"Soerial concession" / land law → research  
re facts, now incl. logic → nat'l  
workshp.

Ouk/LAC: What happens when law →  
passed: will it wrk for whole soc, or  
only part of soc. Auth who enforces  
law - must they enforce all? or only  
pts? eg. new land law: will it wrk for  
indig. community // their customs; concessions

→ negative impact or benefit local people?  
Law on trafficking in women = in office, must  
~~people~~ auths don't enforce

Whshp on legal draft will incl. this? = new concept  
for us -

Bosin: Shd incl MPs, Senators in tng because  
will understand & resp. to "lobbying" / NGOs.  
In Camb, people listen to new gen. - need to  
involve all relevant persons / law-mky →  
coord. efforts -

Vausin-Oxfam: In Camb., if someone looks  
at time = "old" → impressed; if =  
yng, = less int.; sometimes only listen  
to foreigners

Bosin: Described her bkgd: wked w. UN,  
1992 / dispute resolution; want to see  
people / Inds. agency, see her card (w PhD)  
fear seeing her since haven't degree

Sorn Kmal - Center for Social Development (CSD)

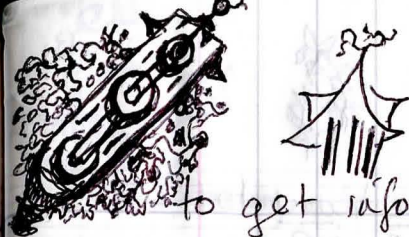
= 3 pts: ① Duties of CSD: haven't time to  
rept all things - a) good govt elects; ② put forum  
for true. ~~disc.~~ disc. w. M. Ed → courses / younger  
sts. Now, Dept Ed Dept = mky / wk. re how to  
gather facts / course on elects, ~~etc.~~ held seminars



→ invite teachers / 6 provinces to partic.  
CSD and posters / corruption = 4 diff.  
kinds - issue bulletin / mo (2) election  
process - 1998, invited candidates & P reps  
to expl. pots, what will do after elects.  
Prepr bulletins / elect + reps' promises  
In new commune elects / 2002 will  
prepr guidelines / with + pop; invite  
P reps, candidates to expl re principles +  
threat they will do.

(3) Public forum - 1 / mo → ~~public forum~~ / in  
3 provinces → // peoples' requests  
In last 3 mos: (1) Main focus =  
on law of sea / fishery; (2) Bottom bay =  
forum / reunification of dry → invited  
Khmer Rouge to partic. (3) disc.  
trial + nat'l unity in 3 forums / 3 provs.  
purpose: media limit information -  
dissemination / impact on govt (3) CSD  
focus on strengthening ed → 3 forums in  
3 provs. - in sum = 30 forums //  
requests of parties.

Add new point / new topic = NA!



to get info to public / bulletin, CSD disseminates  
repts on nat'l unity forum → prot'd nat'l survey  
on corruption -

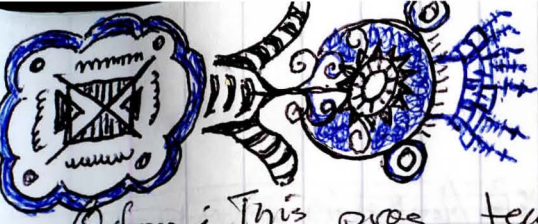
Bosini: Need some sort of coordination arrangmt / (ctee?)  
Center will st. pilot proj / workshop = all parties what  
Nvcs do to follow up = decided by each, but  
shd coord -

Vandeth - Legal Aid = impt / future of society → dem  
Nvcs have less money for sending people to  
BU prog - probably cannot -

Vansin - Oxfam - est jt. wkg grp to coord efforts //  
drafting leg - staff resp for boss, conc. on pt.  
of soc. prob., if poss. → wkg grp →  
strong enuf to debate w. govt insts →  
"if govt agrees w. us, won't = prob / MPs,  
Sen (ex Pat B)

TELEC staff (Siphann): Agree re coord → effective  
→ led by one grp; if poss. → org wkg grp  
w. focus on how to chg impl. ags / govt = key  
prob / Cambodia - give eq: 1 person killed another,  
prosecutor didn't brg chg because farms  
agd → compensation; but killer killed a 2nd  
time - how implem. law → limit discretion.





Oxfam: This prog. teach me how to fish. hope it ~~will~~ → fruitful

CLEC staff ① Shd brng Min pers. + MPs to "brng process" → idea/assess: see this in all wkng grps/law - Don't know how to wrk w. foreign ~~experts~~ experts -

② Who shd = participants -

a) Bond/commitment to work -

b) Prepr mats / BV 4 mo. p.

③ Translations

④ Interpretation Act -

⑤ Open up lobby process to public inputs -

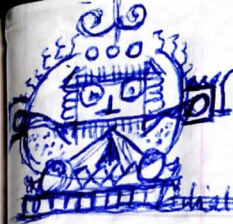
In US, who does research for a bill

Ith Phum = lawyer in CWC (Cambodian Women's Crisis Center) - work on 3 principles: ① Rape

② Women trafficking ③ Domestic violence -

Monitor/investigate = confidential center to help women = place to stay when can't stay at home;

CWC provides prof<sup>y</sup> asst. for kids/school; food, clothes accommodation, health care - after finish long profession → sent to Govt factory or elsewhere to get job -



Adon television create community = <sup>inform</sup> ~~teach~~ <sup>re</sup> ~~teach~~ of laws on rape, violence, trafficking → provide self defense; legal aid → lawyers, consultations/psych help;

Expe/disc w. gov't officials re drft <sup>land</sup> law, crim. procedure, civil + crim'l law statutes (eg info, incl. law on Khmer Rouge trial); used to partic/disc. but no info/drftg.

His opinion: law on dom violence - drft law doesn't est level of violence nec. / police intorr; if not specified → <sup>a lot of</sup> disinction → violence. Some women, tho → violated, don't want police to arrest husband = fam supt → recog. most men have more knowledge than women, even in city-side -

Q: what can your org do / "learning process" -

A: <sup>adept</sup> ~~land~~ by NP must → drftd by someone who knows ~~what~~ how to drft → int. of people -

Julie Pfleger (summer intern) - CWC - Can't use distance course because no one's Eng = gd enuf except director who does it have time - many = direct counsellors -

Vorn Chherry "too nervous" to comment

Wong Phengy -

Lim Kenna - Women for Prosperity = trng of advocacy prog = her org's prog = ① Women's Legal Rts ② Empower

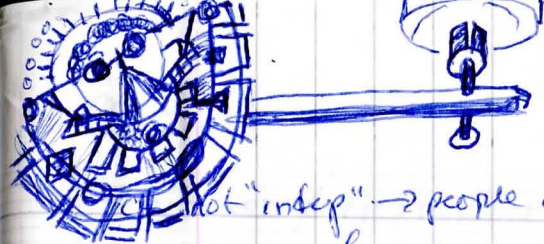


women in politics. (3) human rts + dem. (4) Newsletter -  
= 4 pages; she = hrwr/women's legal rts; goes to  
provinces to tell people eq for 3 days - not a  
lawyer, but have role to publicize law - eg  
Constitution, Discrim. v. Women, Labor Law,  
Negotiation Law, Abortion Law, Const'l Law  
= Abortion's health care -

She hasn't understood it because = ~~too~~ <sup>exists on paper</sup> eq to  
publicize law/abortion, given people's lack of  
info. of law, don't apply it - One woman didn't  
know she can have abortion, goes to trad. dr. →  
dies - husband or parents don't know what action  
to take; midwife goes free of chrg -  
eg law on trafficking - daughter → sold/prostitution,  
finds her, takes her back, but has no way of  
brng offense against person who bought girl -  
doesn't know abt law or sanctions -

eg, Law on marriage, 80% of Camb fams.  
don't have marriage lic - child doesn't  
have birth certificate - only 20% (prob  
servs, NGO whrs, have sals & marriage doc)

Divorced fams don't file claims/ct →  
official - procedure = at commune = many  
prob/women - If go to ct/divorce = long time, A



not "indep" → people away from law -

Because of soc. circls keep women away from  
law -

It's <sup>only</sup> could more than 2 participate? In Camb, all drfts  
go thro Council of Min, some → rejected tho =  
recomd/NGOs -

Lim Henna / Women for prosperity - Some drfts → kept  
at Council of Min w/o action; our NGO ~~recomm~~ <sup>recomm</sup> -

It's: Long process / workshop = impt - don't need to limit  
to drftg

Lim: Drft of law comes from "nature of matter" - if NGO  
initiates law, what = its "nature"?

Bosin: Normally laws → drftd by law experts, but this  
prog = to help civil soc to drft laws to solve  
soc. probs = impt to nation (eg forestry) = focus on  
specific probs - eg. cut hand → what punishment apply  
If min, mos partic → laws/needs; even ~~drft~~ enacted law →  
chgd - in past = no insts to drft law (except Court, PMA),  
now → NGOs - use workshop → knowledge to drft laws -



Friday:

7:30 - Bogin / NA / Dr. Kol

10:30 - USAID

11:45 - Sanway - UNDP lunch w. matt.

2:30 - Danida - CVC - rm B - [Lars Lund] -

Call  
Clarence Dras - Sanway  
430-333





~~15th~~ 15th women MPs

250 members, 108 =  
present today

Friday - 8:30 - National Assembly

Chr = Prince, head of Royalist Party (head of  
COP = Prime Minister)

~~Chr = Chr~~  
Discussion re auditor gen'l -

① vote on agenda - ② vote for auditor ③ vote  
of 1 member of Nat'l Elect Ctee - ④ will  
disc 3 add'l items next week

100% of ~~NA~~ MPs vote for agenda (by hand)

3 nominees of auditor = secret vote for  
auditor-gen'l, then for deputy auditor-gen'l

PM Then Ser: start re reasons for  
auditor-gen'l; bedo accty/nat'ns  
request 3 → auditors; which → aud-gen'l,  
which → deputy. ⑤ Ann of Fin candidate

② History of candidate = MA/econ, was  
1st Dir of Fin & Min in 1st term, ② = Serim -  
= legal advisor to NA pres, King, ③ Simpson  
= joined US = member of prospect Party;

(all cand sat w. us, went <sup>down</sup> before chrs for  
introd.)

Pass and papers / vote - PM's request / vote  
~~for auditor~~ for member of Nat'l Elect  
~~for~~ Ctee - Secy of session (to nt of  
Prince) instructs how to vote for auditor -

= vote for or against all 3; if ~~and~~ nom'd and gen'l  
loses, will put up another nominee -  
[Prince, his assts, all leave chrs, <sup>watch MPs</sup> put vote / box]  
= no disc. of merits in press or on floor; people  
just vote / friends. In middle of vote, one MP  
announced his sup't for a candidate (with  
whom he had worked closely in past).

Call out votes per 3 candidates - (most of MPs left hall)  
put mark / name

Chce on legislation: Review drifts from MeJ, esp re judiciary  
system -

Last yr: passed law → auditor gen'l, didn't agree -  
negotiated out deus / 3 nominees -

1 = COP } all = elected -  
2 = Royalist P - }

① Atk Gen = 92 votes - 11 against

③ Deputy = 83 votes - 16 "

③ Deputy = 91 " - 7 (6 abstentions)

Now vote for Nat'l Elections Ctee member -

Deputy PM calls for vote - candidate / Royalist P =  
proposed before up and votes - propose 2nd time  
1994 - Voted for other members - from NA then = from Ps then in  
NA



Vote now → see if enough / elections -  
Same elec to run vote again → elect

5 yrs → 2 terms = max.

Candidate ~~will~~ give <sup>in</sup> speeches - if anyone  
wants another ballot ok

Jean Gilson

Mobile: 844-090-445-493

H/Phone: 844-718-0272

Office: 844-831-4580

US AID Kevin D. Rushing

Chief's Office of General Development



Friday

UNDP -

Human Rights - Get rights b/c/gaps = factual probs in PM → development prog → address probs →

3 probs: lack of leg framework

lack of ~~practices~~ implem. framework, incl. politician

lack of community knowledge of potential

Now:

Who = resp: local govt/st = seen as resp + victim

= closed door deals (eg bet. Min + nephew) → analyze

details: transparency? accountability? Challenge:

given available info how → more transparent + accountable

Bas:  
eg local auths cld've held hearings

role of chs: probs: gaps/law; role of police, def. lawyers - all actors require capacity

Development failures = 'glaring' - weaknesses in

dev. paradigm: arise in subet. ag. ec →

emerg. of cash crop = probs → WTO = RESP:

egs. Ghana rice ag - farmers kept + sep plot + export

= own safety net

Human Rts Failures → PM: Not emg to ratify

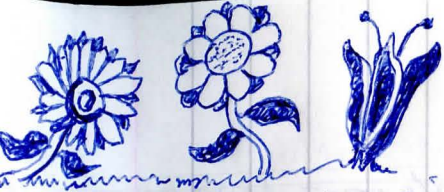
treaties - must consid no. of roles:

partic./state setting, eg Art 14/woman's conv

(Rts of rural women/ SAB + Rf from 1980 → PM)

= state setting, ratif. of instruments → potential law →





awareness raising - thru law + other supt  
 prog.s - monitoring + implem →  
 gap bet int + performance → sancts/violts  
 = implies → reform pol. + law.

All = needs partnership bet gov't, civ soc.,  
 Look at int'l ags = preeminent supt: judges,  
 strengthen MPs - but if don't look at  
system of insts, can throw \$ away → wasted

## DANIDA

Cambodia = one of SE Asian Cof/environ ment -  
 implement prog via Min of Env/Cambodia; legal  
 supt = devel - inst., but environment requires  
 law - eg Land law, forestry laws - i.e. = legal judn  
 last with consid → prog chng

→ 4 components/\$50m/5 yrs: progs w/in each:

- ① Capacity devel./environ ed + monitoring
- ② Land use plan
- ③ Urban/rural plan.
- ④ Forestry devel./wet lands, et.

Perhaps in Nov → Capex devel → shrg / 5 line items =  
 info / environ = Sit in CDC (Council for <sup>Level of Cambodia</sup> ~~env~~ + data mgmt)  
 Mo Env (fear may → dom. prog)  
 Mo Miners + Energy  
 Mo of ~~Land~~ <sup>Ind</sup> + Construction  
 Mo of ~~the~~ Metalegy  
 Mo of Agric  
 Guide to laws + regs / coastal zone (part Barr)

→ coord output =  
 st. of env rept / 2/5/97  
~~env~~ = shr. in go. in  
 init. stg + screening  
 for inv. prog's which  
 don't adhere to env.  
 impact rules (= ac-  
 cording to to revms)



FRIDAY PM: Where do we go from here

- ① Report - e-mail to <ustpp@bigpond.com.kh>
- ② Schedule/workshop

Report: USF=Center- Provide w/in month

Comparative experience w. proj. elsewhere  
All govt bodies (<sup>Int'l Orgs.</sup> IMF, Ser, Min pers) - all need involvement =

M. of Int. apply clerks → try by CRIS = underway → add on = CLEC component = diff/provide teacher

Note that Int'l orgs might consider adopting component/their progs -

Prog whd elsewhere = no reason didn't work here

Pieces/Stages: (each component → fund sep?)

pilot proj/workshop { training trainees  
translate mnts/tech memo

As incl leg → nec to strengthen legal order + law

making process -

a - Codify + computerize all Cambodian laws

b - Integ Act?

c - Administrative law code?

d - <sup>Pub. rule</sup> Requirement of research reports using facts + logic

Date of workshop: Jan: 17-18 = 2 days/trainers

Dec. or ~~Jan~~ 10-21 Dec. - 2 wk.

facils: 9<sup>th</sup> Dec.



more of the same old same old  
PART 1

Cambodia = pilot dry urban scheme funded by  
6 multilateral agencies (IGAD, IMF, UNDP,

World Bank, IDA, etc.)

1. The first phase of the project was to  
conduct a detailed survey of the urban  
area to determine the extent of the  
problem and the needs of the population.

2. The second phase was to develop a  
comprehensive urban management plan  
which would address the various  
aspects of the problem.

3. The third phase was to implement  
the plan and to monitor the progress  
of the project. This phase involved  
the construction of various facilities  
and the provision of services to the  
population.

4. The fourth phase was to evaluate  
the results of the project and to  
determine the extent to which the  
objectives had been achieved.

5. The fifth phase was to prepare  
a final report on the project and  
to submit it to the relevant  
authorities for their consideration.



Monday - Aug 6: What is to be done

1. Brander:

614-492-2829 (H)  
781-736-2770

a) call Larry - dates of course? 2, mba, etc?

b) Syllabus: When Development Theory

2. Diplomas + letter -

a) Steve - many do diploma 2

b) Ann - draft letter - "seeking for solid kingdom..."  
remaining tasks

~~3. Dentist - cap~~

4. Cambodia -

a) write to Dr. Min. of T.?

b)

5. Run off - 7 booklets - 3) <sup>Indonesian</sup> bills & RRs?

ask for Freedom of Info - Eng version



6. Finances etc. / all 3 chrs

a) Indonesia -

frick -

+ report to Chacchi

b) Cambodia - finance Dec. dates

c) Vietnam -

frick to Thosha + Nisa + ?

finalize dates / Jan 3

7. Letter to all 3 ?

8. Toni + JP - listen to tapes + suggest where must revise (?)

9. Walgreen's:

a) pictures (turn in 2 more votes)

b) get listerine, natural tears, aspercreme + fosamax etc.

10. Key of 19 Dubuque  
11. St. John's - Fresh Pond (cont)

12. Oct / desks / bird feeders

~~13. Letter to Puri + Pannika~~

14. Plumber / Surie / Randeau will contact -

~~15. Wendy  
617-320-8352~~

15. Send Hannah a check (get her address off bill + under ~~map~~ bills / Danforth Pl. or Taxes.

16. Write reminder to people re completion.

17. Call Shreya / delivery of desks / date

18. See Ann Murray Fri PM / (1) Re note

19. Buy: Showa cabinet  
cabinets  
fix hangers for plants  
2 Bird feeders  
20 - call Jan / car + Greger / boy

(2) Re Staples  
Delivery of  
desks  
(3) Present



## Diplomas to:

- ✓ Indonesian Secretariat - who? diplomas
- ✓ Eric Putzig - promised bill & report
- ✓ Elkar { write to Alexey: diplomas  
Anarbels Matiasako } should get diplomas?
- ✓ Subedi - write to ask his intentions
- ✓ Mayo - Nigeria diploma
- ✓ Mary Balikvanyi ?
- ✓ Tuenso Ratshitunga diploma
- ✓ Ebrahim - promised bill, report end of July
- ✓ Elizabeth Bakibanga - completed report, not bill
- ✓ Shemdy Liv - said might do bill & rept/vac - but no ans.
- ✓ Mary

+



Robert Mitchell - Aug 7, 2001

Discs/Workshop = on hold: BPN not  
sure will hold workshop — man in  
chrg of legal drftg not sure in new  
head of BPN will want it; some  
people do support it, but say  
need "order from above" — can't  
make decision ~~until~~ now.

He's been identifying participants,  
topics, etc.

Some senior people oppose draft  
law, prefer keeping it as is =  
no uniform opinion = fundamental  
issues. Sept wld be good, but  
not from bureaucracy's perspective  
— hierarchy where subordinates  
don't dare bring ideas to chief.

Cabinet → Ann'd Thurs(?) → a  
period of "uncertainty" —



- ① Letter to Mitchell / dates
- ② JP - call 202-781-3304
- ③ Diplomas
  - ④ Design
  - ⑤ List to Steve
- ④ Sunny - ~~\$19,000?~~ \$17,500
- ⑤ Tony's bill -
- ⑥ Kathy Bordin



Mr. Phoe Hui Thu: Legal Professional Training School  
Min. of Justice - training school - Tuesday 9 AM

Re legal diffg. things:

Train professionals for Ministry needs: - during course →  
train re diffg documents: procedural, what lawyers need,  
but not legal diffg - since grade = not involved  
in diffg - Main tasks = for courts' secretaries, lawyers  
& judges + administrators - who will write in cts,  
do not work in NA or for other orgs diffg  
laws: - don't train diffg = practicing lawyers  
= Refining course after school - eq last yr, retrain legal  
diffg skills - but = only pt of course = 3 mos course,  
diffg = 10 hrs, & participants incl. lawyers/govt agencies

Agreed to send 1 person to workshop -  
+ would like the materials -  
Appreciate workshop, will send comments later.



BoG: other courses for diffg? Ans: UNDP special courses  
/ techs, but weakness = workshops w/o follow-up →  
see results for those who can't come, but have  
decision-making power - is most dual  
manual/rules → designs, ask study Ctee to  
say this = "rules" - ie workshops → many  
papers, but no product - need to take w. it  
till produce results → Study Ctee agmt  
= Rules = authoritative

BoG: You have 2 probs: ① ~~one~~ rules for chaining  
words together; ② law-making process



Calls his proj: Ministerial Leg Drafting Projs → study shortcomings in drafting process → review shortcomings of use of techs, disc. probs re duplications, entering into force provisions, impr. surface appearance of laws, avoid inconsistency → devel. methods to solve probs → devel. manual steps to solve probs // all mins → circ for review, incl. Study Cttee of NA = stands to ach. objs: = "rules to be applied," then → review, org. workshops re techs → circulate / workshops + MPs' comments → decisions of Study Cttee re these "rules" = 2<sup>nd</sup> phase = invited MoJ, linguistic expts, + expts from law inst., etc.

① But haven't done much yet, but if want to spread scope of res, need more funds.

② Based our manual on several U.S. manuals, Ger. → translated to see how useful techs in other cttries - (I wk'd / co wrk or more) but lack method / solve probs = so

serious Don't know how to START, i.e. listen to presentation, you have more adv'd thoughts → basis of corr. "I'm int'l in substance"

so from time to time <sup>Study Cttee of Parl.</sup> (Leg) etc produce "lesser leg" / "ordinances"  
To have gd law, need capacity + Parl. procedure -

Re drafting lang: Have had workshops / lang / ~~etc~~, MoJ have a bk on draft / Eng + Viet → lang; but not for MPs; org. I wrk for drafting skills w. UNDP = various issues, incl. sm. pt / drafting bill - ~~Don't know abt.~~ Some MP staff members / find = sm. lang / drafting, not institutionalized

Issue of least Drafting Cttee / MoJ = not relevant, → favor "quiet" not into of whole cttry - Have to get with relevant agencies // legis. labn; Parliament only comments on drafts -

Dr. Manh - why ~~are~~ re drafting laws or ordinances → est, his Dept → wk on methods of drafting laws + ordinances  
Came from internal needs = nec. to imp. / - we have initiative to devel these active.

Since "I'm not involved in prep. of this proj" Don't know much abt it, but we shd wrk together to avoid duplc.



prob also = resp of Health min, & Smp-Egypt ags -  
Thorkild: = need more cap. to draft & assess laws -

Hong: agree, also need to impr. par. procedures  
debated/ wds (a job diff. shd carry out) &

Stud Ctee of Parl. decides priority of laws/drafts  
(wks bet. sessions = 2 mo. sessions, 10 mos bet  
mtgs) Studg Ctee = 40 members + spkr & deputy

spkr - decide which bills → leg prog. this yr.

MPs partic. in draftg ctee - eg Law Ctee = resp for  
overall new bills; Env. <sup>Dept</sup> Ctee wks on specific

bill → submit to leg ctee on Env. & Tech → disc.  
wds, Law Ctee deals w. legitimacy & consistency;

then → submit to Studg Ctee → revised, submitted  
to NA/enactment - (Law-enforcement = <sup>pol.</sup> ~~ci~~) →

→ "good laws" - but not enforced - eg drug law,  
ed law - MPs don't know ~~how~~ if bill = response  
to needs, how involve expts → more  
practical, feasible.

In Vietnam, NA produces law; govt produces  
implem. decrees to clarify law, direct  
to specific ags to carry out law - i.e.  
law itself = not useful; eg prod surplus/  
no detailed regs/re what to do w. surplus; they  
~~can~~ old not deal w. issues → chg overtime,

Vietnam - Monday

Mr Hong - 3 dist.

~~He~~ began reform 10 yrs ago - w/o legal syst/mkt →  
new need/laws: imp-t-expt, pvt sect, environment  
role of Nat Ass → chg d = many law/ diff soc. rels &  
behaviors; laws/ practical regnts - eg imp-t-expt:  
cos raised issues/ reg behav. → how to devd.  
law. Power to initiate bill = diff. mins or  
mps - frankly spkr = mainly govt mins; eg re  
environment → submit proposals to govt -  
govt submits idea to PNA → decide if = approp  
→ incl. in leg prog. If idea → incl'd, est  
draftg ctee = temp/bill - members = people from  
Parl, Council of (eg enviro & Min of Env. & Tech) +  
academic, <sup>university</sup> sometimes NGOs; don't need to consult  
too much beyond that, Min in chrg. provides person  
who writes bill/ don't have well-learned people; &  
= probs of consistency - indep draftg ctee to put  
ideas of laws into doc. = avoid contradiction = discuss  
do consult for laws, but can't copy.

Many people say est 1 ctee → expor, then don't  
write further laws = no eff. → est cent  
draft office w/ a MoJ, but no decs. yet.  
Law on ~~drug~~ <sup>drug</sup> control - Police Min = in chrg, but



Vietnam - Sunday July 29<sup>th</sup>

What is to be done:

- ① Get cost of round trip ticket to Hanoi/Boston
- ② Timing: Jan. 14 - Feb 1 = 3 weeks  
2 days - facilitators -  
5-8/bill - No. of people -
- ③ 2/3 day workshops / MPs -
- ④ Get letter from Kluwer / translation -
- ⑤ Distance Course:

~~Monday~~ Monday AM 8:30  
① Mr. Hung - Deputy / Nat'l Ass. = Office = this + other projects  
② + Someone from Supreme Prosecution Office  
③ Fri. 9 AM - Dr. Tou - Legal Prof. Terry Schuch  
4:30 Dr. Manh - Assistant NA legislative diffy prog = not  
coord. combine 2 purposes manual -  
Tuesday - meet Dr. Manh -  
Public Admin Sec 13  
Law School 3



# មេត្រីយេនខត្តនា

២ - ១ ដង = ២	៣ - ១ ដង = ៣	៤ - ១ ដង = ៤	៥ - ១ ដង = ៥
២ - ២ ដង = ៤	៣ - ២ ដង = ៦	៤ - ២ ដង = ៨	៥ - ២ ដង = ១០
២ - ៣ ដង = ៦	៣ - ៣ ដង = ៩	៤ - ៣ ដង = ១២	៥ - ៣ ដង = ១៥
២ - ៤ ដង = ៨	៣ - ៤ ដង = ១២	៤ - ៤ ដង = ១៦	៥ - ៤ ដង = ២០
២ - ៥ ដង = ១០	៣ - ៥ ដង = ១៥	៤ - ៥ ដង = ២០	៥ - ៥ ដង = ២៥
២ - ៦ ដង = ១២	៣ - ៦ ដង = ១៨	៤ - ៦ ដង = ២៤	៥ - ៦ ដង = ៣០
២ - ៧ ដង = ១៤	៣ - ៧ ដង = ២១	៤ - ៧ ដង = ២៨	៥ - ៧ ដង = ៣៥
២ - ៨ ដង = ១៦	៣ - ៨ ដង = ២៤	៤ - ៨ ដង = ៣២	៥ - ៨ ដង = ៤០
២ - ៩ ដង = ១៨	៣ - ៩ ដង = ២៧	៤ - ៩ ដង = ៣៦	៥ - ៩ ដង = ៤៥
២ - ១០ ដង = ២០	៣ - ១០ ដង = ៣០	៤ - ១០ ដង = ៤០	៥ - ១០ ដង = ៥០

៦ - ១ ដង = ៦	៧ - ១ ដង = ៧	៨ - ១ ដង = ៨	៩ - ១ ដង = ៩
៦ - ២ ដង = ១២	៧ - ២ ដង = ១៤	៨ - ២ ដង = ១៦	៩ - ២ ដង = ១៨
៦ - ៣ ដង = ១៨	៧ - ៣ ដង = ២១	៨ - ៣ ដង = ២៤	៩ - ៣ ដង = ២៧
៦ - ៤ ដង = ២៤	៧ - ៤ ដង = ២៨	៨ - ៤ ដង = ៣២	៩ - ៤ ដង = ៣៦
៦ - ៥ ដង = ៣០	៧ - ៥ ដង = ៣៥	៨ - ៥ ដង = ៤០	៩ - ៥ ដង = ៤៥
៦ - ៦ ដង = ៣៦	៧ - ៦ ដង = ៤២	៨ - ៦ ដង = ៤៨	៩ - ៦ ដង = ៥៤
៦ - ៧ ដង = ៤២	៧ - ៧ ដង = ៤៩	៨ - ៧ ដង = ៥៦	៩ - ៧ ដង = ៦៣
៦ - ៨ ដង = ៤៨	៧ - ៨ ដង = ៥៦	៨ - ៨ ដង = ៦៤	៩ - ៨ ដង = ៧២
៦ - ៩ ដង = ៥៤	៧ - ៩ ដង = ៦៣	៨ - ៩ ដង = ៧២	៩ - ៩ ដង = ៨១
៦ - ១០ ដង = ៦០	៧ - ១០ ដង = ៧០	៨ - ១០ ដង = ៨០	៩ - ១០ ដង = ៩០

## TABLEAU OF MULTIPLICATION

2 x 1 = 2	3 x 1 = 3	4 x 1 = 4	5 x 1 = 5
2 x 2 = 4	3 x 2 = 6	4 x 2 = 8	5 x 2 = 10
2 x 3 = 6	3 x 3 = 9	4 x 3 = 12	5 x 3 = 15
2 x 4 = 8	3 x 4 = 12	4 x 4 = 16	5 x 4 = 20
2 x 5 = 10	3 x 5 = 15	4 x 5 = 20	5 x 5 = 25
2 x 6 = 12	3 x 6 = 18	4 x 6 = 24	5 x 6 = 30
2 x 7 = 14	3 x 7 = 21	4 x 7 = 28	5 x 7 = 35
2 x 8 = 16	3 x 8 = 24	4 x 8 = 32	5 x 8 = 40
2 x 9 = 18	3 x 9 = 27	4 x 9 = 36	5 x 9 = 45
2 x 10 = 20	3 x 10 = 30	4 x 10 = 40	5 x 10 = 50
6 x 1 = 6	7 x 1 = 7	8 x 1 = 8	9 x 1 = 9
6 x 2 = 12	7 x 2 = 14	8 x 2 = 16	9 x 2 = 18
6 x 3 = 18	7 x 3 = 21	8 x 3 = 24	9 x 3 = 27
6 x 4 = 24	7 x 4 = 28	8 x 4 = 32	9 x 4 = 36
6 x 5 = 30	7 x 5 = 35	8 x 5 = 40	9 x 5 = 45
6 x 6 = 36	7 x 6 = 42	8 x 6 = 48	9 x 6 = 54
6 x 7 = 42	7 x 7 = 49	8 x 7 = 56	9 x 7 = 63
6 x 8 = 48	7 x 8 = 56	8 x 8 = 64	9 x 8 = 72
6 x 9 = 54	7 x 9 = 63	8 x 9 = 72	9 x 9 = 81
6 x 10 = 60	7 x 10 = 70	8 x 10 = 80	9 x 10 = 90